

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

TRACEY A. COLEMAN,)	4:06CV3047
)	
Plaintiff,)	
)	
v.)	MEMORANDUM
)	AND ORDER
MICHAEL CHERTOFF,)	
SECRETARY OF UNITED STATES)	
DEPARTMENT OF HOMELAND)	
SECURITY, In his official capacity,)	
)	
Defendant.)	

This matter is before the court upon Defendant's motion to dismiss or for summary judgment (filing 38). After review of the 175 pages of briefs submitted by the parties that deal with each other's assertions only as ships passing in the night and review of the 386 pages of evidence submitted in support of the motion and 184 pages of evidence submitted in opposition to the motion, and guessing that there may be material facts in dispute, the motion for summary judgment will be denied.¹

Accordingly,

IT IS ORDERED that the motion to dismiss or for summary judgment (filing 38) is denied.

June 6, 2007

BY THE COURT:

s/Richard G. Kopf
United States District Judge

¹The parties had better simplify this case for trial or I am likely to be unpleasant. The parties should seriously consider mediation.